REMARKS

The Office Action of June 30, 2003 has been received and carefully reviewed. The Applicant acknowledges the election of Group I, claims 1-10 for purposes of examination. Accordingly, claims 1-19 remain pending of which claims 11-19 are withdrawn as being directed to a non-elected invention. In view of the following remarks, further consideration of this application is now requested.

Claims 1 and 7-9 were rejected under 35 U.S.C. § 103(a) as being rendered obvious in view of the disclosure of the Schuster ('136) patent. While the Schuster patent does disclose forming a press body 14 containing mercury for use in the production of a discharge lamp, the patent contains no disclosure (either explicit or implicit) that the press body contains an adsorbed metal halide as presently claimed. From the Examiner's remarks, it appears that the Examiner is relying upon the teachings of column 3, lines 9-20, to assert this feature in Schuster since the portions cited by the Examiner, i.e., the abstract and column 2, line 66, to column 3 line 7, contain absolutely no discussion of a halogen or halide being introduced into the discharge lamp on the press body 14.

A detailed review of Schuster reveals that the patentee utilizes a metal salt solution in an electrolytic process to form a mercury-metal suspension which is separated from the electrolytic solution via a glycerin immersion to coat the suspended particles of the mercury-metal suspension, see column 3, lines 21-18, which are then washed, dried, pressed to remove excess mercury, pulverized and press formed into a pills or press bodies, see column 3, lines 28-42, and Example 4. There is no disclosure in Schuster of a metal halide being present, either in the electrolyte solution of the metal or in the press body. In fact, only a sulfate salt is disclosed specifically in Example 4. Further, the Applicant asserts that a metal halide in the press body would not be readily apparent, i.e., inherent, to one of ordinary skill in the prior art since the process of fabrication intentionally separates, using glycerin, the mercury-

metal suspension from the metal salt electrolyte solution, i.e., the salt ions remain in the electrolyte solution, and then performs a further washing and drying. From such a teaching, one of ordinary skill in the prior art would not realize nor would it be readily apparent that a metal halide is present on the mercury-metal press body. If the Examiner is to maintain the rejection relying upon Schuster to assert that a metal halide is in fact present as an adsorbed compound in the mercury-metal press body of Schuster, then it is respectfully requested that the Examiner set forth a detailed explanation of the reaction chemistry and process of Schuster which would necessarily result in a metal halide being adsorbed in the pores of the press body. Since the teachings of Schuster fail to explicitly or implicitly teach the presence of a metal halide adsorbed onto a press body and further since the teachings of Schuster do not suggest or provide any motivation to form a metal halide adsorbed onto the press body, the rejection, under § 103(a), of claims 1 and 7-9 has been set forth in error and must now be withdrawn.

With regard to the rejection of claims 2 and 3, under 35 U.S.C. 103(a), as being obvious in view of the combination of teachings of Schuster ('136) and Johnson ('871), this rejection is also respectfully traversed. That is, while Johnson ('871) does teach using a rupturable vessel, i.e, dosing capsule, to introduce mercury into a discharge lamp, the patentee does not provide any teaching which remedies the deficiencies of Schuster discussed in detail above. Therefore, a *prima facie* case of obviousness has not been established with regard to the combination of Schuster and Johnson, and consequently, the rejection, under § 103(a), of claims 2 and 3 has been set forth in error and must now also be withdrawn.

With regard to the rejection of claim 4, under 35 U.S.C. 103(a), as being obvious in view of the combination of teachings of Schuster ('136) and van der Wolf et al. ('328), this rejection is also respectfully traversed. That is, while van der Wolf et al. do teach using a mercury introduction carrier 3, i.e, amalgam paste plug, to introduce mercury into a discharge lamp upon heating, the patentees do not provide any teaching which remedies the deficiencies of Schuster. Therefore, a *prima facie*

case of obviousness has also not been established with regard to the combination of Schuster and van der Wolf et al, and consequently, the rejection, under § 103(a), of claim 4 has been set forth in error and must also now be withdrawn.

With regard to the rejection of claims 5 and 6, under 35 U.S.C. 103(a), as being obvious in view of the combination of teachings of Schuster ('136) and Rothwell et al. ('700), this rejection is also respectfully traversed. That is, while Rothwell et al. do teach using mercury bromide to create blue-green light in a discharge vessel, the patentees do not provide any teaching which remedies the deficiencies of Schuster by showing that a metal halide is necessarily adsorbed onto a porous body as presently. Therefore, a *prima facie* case of obviousness has not been established with regard to the combination of Schuster and Rothwell et al, and consequently, the rejection, under § 103(a), of claims 5 and 6 has also been set forth in error and must now be withdrawn.

Finally, with regard to the rejection of claim 10, under 35 U.S.C. 103(a), as being obvious in view of the combination of teachings of Schuster ('136) and Sugitani et al. ('830), this rejection is also respectfully traversed. That is, while Sugitani et al. do teach that discharge lamps can have an interior volume as claimed and a volume of mercury within the range claimed, the patentees do not provide any teaching which addresses the deficiencies of Schuster noted above. Therefore, a *prima facie* case of obviousness has not been established with regard to the combination of Schuster and Sugitani et al, and consequently, the rejection, under § 103(a), of claim 10 has also been set forth in error and must now be withdrawn.

While the present application is now believed to be in condition for allowance, should the Examiner find some issue to remain unresolved, or should any new issues arise, which could be eliminated through discussions with Applicant's representative, then the Examiner is invited to contact the undersigned by telephone in order that the further prosecution of this application can thereby be expedited.

Lastly, it is noted that a separate Extension of Time Petition (one month) accompanies this response along with a check in payment of the requisite extension of

time fee. However, should that petition become separated from this Amendment, then this Amendment should be construed as containing such a petition. Likewise, any overage or shortage in the required payment should be applied to Deposit Account No. 19-2380 (740145-198).

Respectfully submitted,

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